REMARKS

Claims 1-3, 5-8, 11-14, 31-35, and 41 were presented and examined. In response to the Office Action, Claims 1, 11, and 31 are amended, Claim 34 is cancelled, and no claims are added. Applicants respectfully request reconsideration of pending Claims 1-3, 5-8, 11-14, 31-33, 35, and 41 in view of at least the following remarks.

I. Double Patenting

Claims 1-3, 5-8, 11-14, and 31-35 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-29 over co-pending U.S. Patent Application Publication No. 2007/0223704. Applicants hold in abeyance this rejection until such time as the claims on which the rejection is premised are granted.

II. Claim Rejections Under 35 U.S.C. §102

Claims 1, 11, and 31 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Publication 2007/0192829 to Ford ("Ford"). Applicants respectfully disagree with the Examiner's assertions and characterizations regarding Ford.

Claim 1 recites:

> 1. A method comprising:
> programming a chip secret key into a manufactured chip;
> sending the manufactured chip to a system original equipment manufacturer (OEM); and
> generating at least one private key for the manufactured chip in response to a received key update request, issued by the manufactured chip, if the received key update request is authenticated. (Emphasis added.)

Ford is generally directed to authenticated communication using a shared unpredictable secret (SUS). Ford discloses that a client device proves possession of an SUS to a server; the SUS is replaced by a new SUS each time a client device logs into a server device. (See Abstract.) In contrast with Claim 1, Ford does not disclose or suggest generating at least one private key for a manufactured chip in response to a received key update request, issued by the manufactured chip, if the received key update request is authenticated. Ford discloses the use of authentication data to initiate a registration/reset phase to cause generation of an SUS. (See page

2, paragraphs 0019-0020.) Nevertheless, neither generation of SUS in response to valid authentication data, nor replacement of SUS during each login, can disclose or suggest the generation of at least one private key for a manufactured chip in response to a received key update request, issued by the manufactured chip, much less if the received key update request is authenticated, as in Claim 1.

According to the Examiner, this feature of Claim 1, prior to amendment, is disclosed by Ford at paragraphs 0021-0025 and 0027. The passages referred to by the Examiner describe generation of the SUS and how a device proves possession of an SUS. In contrast with Claim 1, the passages referred to by the Examiner are directed to the explicit requirement that the SUS is replaced after each login. Hence, neither these passages, nor any other portion of Ford, disclose or suggest generation of a private key in response to a received key update request, issued by the manufactured chip, much less that private key generation is conditioned on authentication of the received key update request, as in Claim 1.

We submit that the Examiner's citing of Ford fails to teach or suggest the combination of programming a chip secret key into a manufactured chip and generating at least one private key for the manufactured chip in response to a **received key update request**, issued by the manufactured chip, if the key update **request is authenticated**, as in Claim 1. Furthermore, while Claim 1 is directed to programming a chip secret key into a manufactured chip and generating a private key for the manufactured chip in response to an authenticated key update request, issued by the manufactured chip, Ford relates to credential sharing, and not to manufactured chips, as in Claim 1. Moreover, Ford fails to describe a combination of programming a chip secret key into a manufactured chip and generating at least one private key for the manufactured chip in response to an authenticated received key update request, issued by the manufactured chip, as in Claim 1.

The Examiner's reliance on Ford to disclose a combination of programming a chip secret key into a manufactured chip and generating at least one private key for the manufactured chip in response to a received key update request is improper. Ford does not provide both programming of a chip secret key into a manufactured chip, and generating at least one private key for the manufactured chip in response to a received key update request, issued by the manufactured chip, since Ford is limited to a registration process to receive SUS and subsequent SUS

replacement after each login. In addition, an SUS is not a private key since it must be replaced after each login. Also, Ford fails to disclose that the client device issues a key update request, which must be authenticated, to receive an SUS. In contrast with generating a private key in response to an authentication key update request, Ford explicitly requires that a new SUS is automatically provided to the client device after each successful login. Hence, Ford cannot teach or suggest the combination of programming a chip secret key into a manufactured chip and generating at least one private key for the manufactured chip in response to a key update request, issued by the manufactured chip, if the received key update request is authenticated, as in Claim 1.

Therefore, the Examiner has failed to identify, and Applicants are unable to discern any portion of Ford or the references of record, that discloses, teaches, or suggests the combination of programming a chip secret key into a manufactured chip and generating at least one private key for the manufactured chip in response to a received key update request if the received key update request is authenticated, as in Claim 1.

For each of the above reasons, Claim 1 and all claims which depend from Claim 1 are patentable over Ford, as well as the references of record. Therefore, please reconsider and withdraw the §102(e) rejection of Claim 1.

Each of the Applicant's other independent claims, and each claim which depend from those claims are patentable over the cited art for similar reasons. Therefore, please reconsider and withdraw the §102(e) rejection of Claims 11 and 31.

DEPENDENT CLAIMS

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicant's silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

PETITION FOR EXTENSION OF TIME

Per 37 C.F.R. 1.136(a) and in connection with the Office Action mailed on December 23, 2008, Applicant respectfully petitions Commissioner for a one (1) month extension of time, extending the period for response to April 23, 2009. Please charge Deposit Account No. 02-2666 in the amount of $130.00 to cover the petition filing fee.

Conclusion

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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Dated: March 30, 2009

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CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office:

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Alexandra Y. Caluen March 30, 2009